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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,577	10/31/2003	Robert Hale Grant	233-605-USP	1563
48929 7590 10/02/2009 HENSLEY KIM & HOLZER, LLC 1660 LINCOLN STREET SUITE 3000 DENVER, CO 80264				
EXAMINER				
FORD, GRANT M				
ART UNIT		PAPER NUMBER		
2442				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/699,577

Applicant(s)

GRANT ET AL.

Examiner

GRANT FORD

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5, 7, 9, 11-14, 16, 18 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5, 7, 9, 11-14, 16, 18 and 20-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 6/4/2009, with respect to the prior art of Knight have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Czeiger and Liao, as outlined below.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the ceasing the provision of at least one service in favor of allowing the second network to provide the at least one service of independent claim 2 and ceasing the implementation of the at least one service in the gateway in favor of allowing the second network to provide the at least one service must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In Applicant's response dated 6/4/2009, Applicant stated that the gateway of claim 2 is illustrated throughout the figures (e.g., Fig. 1-2 and 4). The Examiner notes that 37 CFR 1.83(a) requires that "*The drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation...*" In the instant case, at least the features of: ceasing the provision of at least one service in favor of allowing the second network to provide the at least one service of independent claim 2 and ceasing the implementation of the at least one service in the gateway in favor of allowing the second network to provide the at least one service, are not shown in the drawings.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-5, 7, 11-14, 16, 20-22, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Czeiger et al. (US 6,683,883), hereinafter referred to as Czeiger, in view of Liao et al. (US 2004/0024905), hereinafter referred to as Liao.

a. As per claims 2 and 11, Czeiger discloses a gateway comprising:
a first port coupled to a first network and a second port coupled to a second network (Figures 1-4, Col 5 lines 21-26); and
processes implemented within the gateway for implementing at least one service on behalf of the second network (Col 2 lines 10-33). However, Czeiger fails to explicitly disclose wherein the gateway implements processes which determine when the at least one service is implemented in the second network or ceasing provision of at least one service in favor of allowing the second network to provide the at least one service.

Liao teaches processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network (Para. 0006-0008), determining when the at least one service is implemented in the second network (Para. 0040,0042, 0051), and ceasing the provision of the at least one service in favor of allowing the second network to provide the at least one service (Para. 0040,0042). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of a gateway determining when at least one service is provided in a first and a second network, and ceasing the

provision of the at least one service in favor of allowing the second network to provide the at least one service with the prior art of Czeiger. One of ordinary skill in the art would have done so for the purpose of permitting a gateway to interconnect a first and second network direct communication where the first and second networks utilize different services such as discovery and management protocols to provide a protocol-transparent interface between Infiniband and Fibre Channel network devices (Para. 0006-0008, 0010).

b. As per claims 3, 12, 20, and 26, Czeiger discloses wherein at least one of the networks comprises a fibre channel network (Col 2 lines 47-57).

c. As per claims 4, 13, 21 and 27, Czeiger discloses wherein at least one of the networks comprises an Internet Protocol network (Col 2 lines 49-57).

d. As per claims 5, 14, 22, and 28 Czeiger wherein at least one of the first and second networks comprises a SAN (Col 1 line 66 through Col. 2 line 9 – see iSCSI and FC protocols).

e. As per claims 7 and 16, Czeiger discloses a gateway comprising a first port coupled to a first network and a second port coupled to a second network (Figures 1-4, Col 5 lines 21-26); and

processes implemented in the gateway for implementing the at least one service on behalf of the second network (Col 2 lines 10-33). However, Czeiger fails to explicitly disclose wherein the gateway implements processes which determine when the at least one service is implemented in the second network or wherein the at least one service provided by the first network comprises a discovery service and the

processes implemented within the gateway comprise a discovery service implemented on behalf of the second network.

Liao teaches processes implemented in a gateway for identifying at least one service provided by the first network that is not provided by the second network (Para. 0006-0008), and wherein the at least one service provided by the first network comprises a discovery service and the processes implemented within the gateway comprise a discovery service implemented on behalf of the second network (Para. 0039,0087). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of determining when the service is implemented in the second network as well as a discovery service and the processes implemented within the gateway comprising a discovery service implemented on behalf of the second network with the ISCSI-FCP gateway of Czeiger. One of ordinary skill in the art would have done so for the purpose of permitting a gateway to interconnect a first and second network direct communication where the first and second networks utilize different services such as discovery and management protocols to provide a protocol-transparent interface between Infiniband and Fibre Channel network devices (Para. 0006-0008, 0010).

5. Claims 9, 18, 23-25, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Czeiger in view of Liao and further in view of Cho et al. (*A Method for*

Accommodating Storage Service in Optical Access System), hereinafter referred to as Cho.

a. As per claims 9 and 18, Czeiger discloses a gateway comprising:
a first port coupled to a first network and a second port coupled to a second network (Figures 1-4, Col 5 lines 21-26); and

processes implemented within the gateway for implementing at least one service on behalf of the second network (Col 2 lines 10-33). However, Czeiger fails to explicitly disclose wherein the gateway implements processes which determine when the at least one service is implemented in the second network or wherein the at least one service comprises a security server implemented on behalf of the second network.

Liao teaches processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network (Para. 0006-0008). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of determining when the service is implemented in the second network as well as a discovery service and the processes implemented within the gateway comprising a discovery service implemented on behalf of the second network with the ISCSI-FCP gateway of Czeiger. One of ordinary skill in the art would have done so for the purpose of permitting a gateway to interconnect a first and second network direct communication where the first and second networks utilize different services such as discovery and management protocols to provide a protocol-transparent interface between Infiniband and Fibre Channel network devices (Para. 0006-0008, 0010).

Cho teaches a iSCSI-Fibre Channel interconnection gateway including a Security Processor Module for providing IPSec security processing for iSCSI data in IP network environments (Fig. 1 and 4, Page 661, Page 662 lines 1-7). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the use of IPSec processing in network interconnection gateways with the prior art of Czeiger. One of ordinary skill in the art would have done so for the purpose of providing proper security and authentication data associated with a connection (Page 661).

b. As per claims 23 and 29, Czeiger discloses wherein at least one of the networks comprises a fibre channel network (Col 2 lines 47-57).

c. As per claims 24 and 30, Czeiger discloses wherein at least one of the networks comprises an Internet Protocol network (Col 2 lines 49-57).

d. As per claims 25 and 31, Czeiger wherein at least one of the first and second networks comprises a SAN (Col 1 line 66 through Col. 2 line 9 – see iSCSI and FC protocols).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GRANT FORD whose telephone number is (571)272-8630. The examiner can normally be reached on 8-5:30 Mon-Thurs alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Caldwell/
Supervisory Patent Examiner, Art
Unit 2442

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